

Attorney Docket No. 7175-67612

Application No. 09/743,737 (Filed January 16, 2001)

Reply to Office Action dated August 11, 2006

REMARKS

Claims 45-65 and 88-89 are pending in this application. Claims 1-44, 66-87, and 90 are canceled without prejudice or disclaimer of the subject matter therein. Claims 45, 46, 54, 55-59, 63, and 65 are amended. New claims 91-99 are added.

Reconsideration of the rejection of claims 45-65 and 88-89 under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,071,267 to Zamierowski ("Zamierowski") is requested. It is believed that amended independent claims 45, 46, 54, 55, and 65, and dependent claim 47-53, 56-64, and 88-89, are not anticipated by Zamierowski for the reasons given below.

Regarding independent claim 45, Zamierowski does not disclose or suggest "the fluid delivery passageways" in the first sheet "being isolated from the fluid drainage passageways" in the first sheet.

Regarding independent claim 46, Zamierowski does not disclose or suggest a "first sheet having a plurality of discrete passageways which extend generally vertically between the top and bottom surfaces of the first sheet and through which negative pressure established by the negative pressure source is communicated to the wound and through which fluid from the fluid source is communicated to the wound." In addition, Zamierowski does not disclose or suggest "the at least one discrete passageway in the first sheet that communicates with the at least one discrete passageway in the second sheet being isolated from the remaining discrete passageways in the first sheet."

Regarding independent claim 54, Zamierowski does not disclose or suggest "a first fluid delivery bandage configured to cover a wound and adhere to healthy skin adjacent the wound" in combination with "a second fluid drainage bandage overlying the first fluid delivery bandage."

Regarding independent claim 55, Zamierowski does not disclose or suggest "the at least one discrete fluid drainage apertures in the first and second sheets being in fluid communication with each other and with the fluid drainage chamber

defined by the second and top sheets” in combination with “the at least one discrete fluid drainage apertures in the first and second sheets being isolated from the at least one discrete fluid delivery aperture in the first sheet.”

Regarding independent claim 65, Zamierowski does not disclose or suggest “the first, second, and third pluralities discrete fluid drainage apertures in the respective first, second, and third sheets being aligned.”

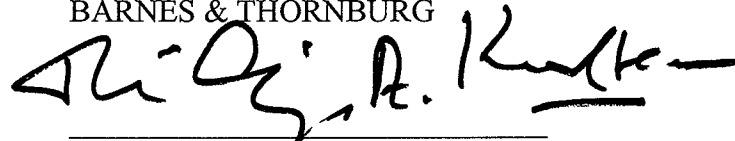
Accordingly, applicants respectfully submit that amended independent claims 45, 46, 54, 55, and 65, and dependent claim 47-53, 56-64, and 88-89 are not anticipated by Zamierowski, and hence withdrawal of the 35 U.S.C. 102(e) rejection thereof is respectfully requested.

New claims 91-99 depend from claim 54, and are therefore allowable for the reasons given above in support of claim 54.

In view of the foregoing amendment and supporting remarks, the subject application is now deemed to be in condition for allowance, and such action is respectfully requested. If the Examiner believes that a telephonic interview would expedite the allowance of this application, he is requested to contact the undersigned for a prompt resolution of any outstanding issues.

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response, and shortages and other fees be charged, or any overpayment in fees be credited, to the Account of Barnes & Thornburg, Deposit Account No. 10-0435, with reference to file 7175-67612.

Respectfully submitted,
BARNES & THORNBURG



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